



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/645,928	08/25/2000	Mark Benson	85ER-00155	4140
7590	08/01/2005		EXAMINER	
John S Beulick Armstrong Teasdale LLP Suite 2600 One Metropolitan Square St Louis, MI 63102-2740			MORGAN, ROBERT W	
			ART UNIT	PAPER NUMBER
			3626	

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/645,928	BENSON ET AL.	
	Examiner	Art Unit	
	Robert W. Morgan	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 25 February 2005.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-32 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-32 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application (PTO-152)
6) Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/27/05 has been entered.

Notice of Applicant

2. In the amendment filed 2/25/05, the following has occurred: Claims 1, 3, 10, 15 and 23 have been amended. Now claims 1-32 are presented for examination.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11, 13-16 and 23 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,526,386 to Chapman et al. and “10-year term allows automatic renewal without underwriting” by National Underwriter: Life & Health/Financial Service (hereinafter “National Underwriter”) in view of “ClientSoft Introduces eXoro, A Complete e-Service Solution for the Insurance Industry” by Business Wire.

As per claim 1, Chapman et al. teaches a method for evaluating insurance policy data corresponding to a proposed renewal policy for binding an associated insurance carrier and

renewing the policy under the authority of a field agent geographically remote from the carrier, the insurance carrier having a local computer including an eligibility generator (Chapman et al. teaches that the insurance carrier may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal (see: column 6, lines 35-41). The Examiner considers the classification to be completed by the eligibility generator), the field agent having a remote computer including a data display in communication with the local computer (remoter computer terminal (104, Fig. 1)), said method comprising the steps of:

--the claimed storing in a database policy data relating to a plurality of insurance policies issued by the insurance carrier, the database in communication with the local computer is met by the policy status database (128, Fig. 1) and the remote computer terminal (210, Fig. 1) connected to the central computer (124, Fig. 1) by a network connection (see: column 3, lines 65 to column 4, lines 2 and column 4, lines 59-65);

--the claimed identifying at least one insurance policy as being eligible for a renewal evaluation by applying pre-determined criteria to the policy data stored in the database for each insurance policy, the criteria pre-determined by the insurance carrier to identify each insurance policy eligible for a renewal evaluation without requiring external underwriting and risk assessment processes, the criteria applied to the policy data stored in the database using the eligibility generators is met by the list of expiring policies being generated automatically by the system on a periodic basis, preferably daily by comparing cancellation date of each policy of insurance with the current date (see: column 5, lines 49-53);

--the claimed displaying at the field agent computer a Web page, the Web page including policy data corresponding to a the at least one identified renewal policy is met by agent electronically retrieving data in an insured's file with the aid of screens 500 and 600 (see: column 5, lines 61-62);

--the claimed updating at the field agent computer the policy data corresponding to the at least one renewal policy by inputting data corresponding to attributes of a subscriber on Web pages displayed on the field agent computer is met by at step 308, where the agent enters renewal data such as notations that the policy in no longer expiring, the date on which the policy is being renewed and details regarding any payments of premiums that may have been made (see: column 6, lines 23-30);

--the claimed transmitting the updated policy data from the field agent computer to the associated insurance carrier is met by the agent electronically ordering an renewal form from the remote terminal at step 310, suggesting that the updated insurance information has been transmitted from the field agent computer to the associated insurance carrier in order to receive the renewal form (see: column 6, lines 31-33); and

--the claimed processing at the local computer the updated policy data for the at least one identified renewal policy to determine whether the identified renewal policy is eligible for renewal is met by the agent electronically ordering an renewal form from the remote terminal at step 310, suggesting that the updated insurance information has been processed in order for the agent to receive the renewal (see: column 6, lines 31-33). In addition, Chapman et al. teaches that the insurance carrier may optionally conduct verification either prior to the initial identification

of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal policy (see: column 6, lines 35-41).

Chapman et al. teaches on screen 600 in region 612 that the field agent is allowed to select FH1 to perform a renewal transaction (see: column 6, lines 11-14). In addition, Chapman et al. teaches the agent electronically orders an renewal form from the remote terminal at step 310, suggesting that the updated insurance information has been processed in order the agent to receive the renewal form (see: column 6, lines 31-33).

Chapman et al. fails to explicitly teach:

- the claimed renewal without requiring external underwriting and risk assessment processes;
- the claimed policy data including a premium amount;
- the claimed receiving at the field agent computer a bind Web page indicating that the proposed renewal policy for the subscriber is in condition such that the associated insurance carrier can be bound to the terms and conditions of the proposed renewal policy; and
- the claimed binding by the field agent the associated insurance carrier to the terms and conditions of the proposed renewal policy by prompting the field agent to enter a bind indication on the bind Web page and transmitting the bind Web page from the field agent computer to the carrier, the binding by the field agent legally binds the associated insurance carrier to the terms and conditions of the proposed renewal policy.

National Underwriter teaches a new policy that allows automatic renewal, without new underwriting at the end of the policy (see: abstract).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include renewal without underwriting and risk assessment as taught by National Underwriter within the system for generating automobile insurance certificates from a remote computer terminal as taught by Chapman with the motivation of enhancing the customer's overall experience regarding renewal policies thereby increasing the loyalty to the customer to the insurance agencies.

Chapman et al. and National Underwriter fail to teach:

- the claimed policy data including a premium amount;
- the claimed receiving at the field agent computer a bind Web page indicating that the proposed renewal policy for the subscriber is in condition such that the associated insurance carrier can be bound to the terms and conditions of the proposed renewal policy; and
- the claimed binding by the field agent the associated insurance carrier to the terms and conditions of the proposed renewal policy by prompting the field agent to enter a bind indication on the bind Web page and transmitting the bind Web page from the field agent computer to the carrier, the binding by the field agent legally binds the associated insurance carrier to the terms and conditions of the proposed renewal policy.

Business Wire teaches ClientSoft which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to obtain quotes, bind and issue insurance policies from any location in real time (see: paragraph 1). In addition, Business Wire also teaches that the system frees agents from the office/hub environment by giving them complete policy writing capabilities from virtually anywhere, using any laptop, wireless or remote access device equipped with an Internet browser (see: paragraph 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include ClientSoft's eXoro allowing agents to receive quotes (premiums) and binding the insurance carrier to the terms and conditions of the proposed policy as taught by the Business Wire with the system as taught by the Chapman et al. and National Underwriter with the motivation of allowing agents to issue highly accurate ratings, quotes and full policies on the spot, and their customers can write check and go home with a new policy in a matter of minutes (see: Business Wire: paragraph 2).

As per claim 2, Business Wire teaches receiving one or more Bind Confirmation Web pages including acknowledgment that said associated insurance carrier has been bound to the terms and conditions of renewal policy reflecting the bind Web page (see: paragraph 1).

As per claim 3, it is rejected for the same set forth in claim 1.

As per claims 4-6 and 8, the steps for receiving, updating and transmitting of sequence of web pages to the agents, for processing insurance on line including answering questions via Internet connection to an Insurance company Web server computer, and for issuing an certificate and/or binding. These limitations are met by Chapman et al. at step 308, where the agent enters renewal data such as notations that the policy is no longer expiring, the date on which the policy is being renewed and details regarding any payments of premiums that may have been made (see: column 6, lines 23-30). In addition, Business Wire teaches ClientSoft which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to obtain quotes, bind and issue insurance policies from any location in real time (see: paragraph 1).

The obviousness of combining the teachings of Chapman, National Underwriter and Business Wire are discussed in the rejection of claim 1, and incorporated herein.

As per claim 7, Chapman et al. teaches the claimed insurance policy and the predetermined questions are unrelated to insurance and the insurance carrier is any company issuing the policy. This limitation is met by the information stored in the table 800 in a transaction type field for renewal such as control numbers, identity of the agent performing a transaction, and the reason for entering any renewal (see: column 6, lines 57-65). This suggests that the field agent entered the information stored in the table 800 during the renewal process.

As per claim 9, Chapman et al. teaches the claimed field agent includes at least one of a subscriber to an insurance policy eligible for renewal and an employer responsible for the policy subscriber. This limitation is met by screen 600 that includes data such as the insured's name and address and carrier information (see: column 5, lines 65 to column 6, lines 8).

As per claim 10, Chapman teaches a system and method for generating insurance certificates from remote computer terminal by a computer network to a central computer (see: column 1, lines 43-46). Chapman further teaches insurance agents electronically order insurance certificates from a remote terminal that may be renewal policies (step 310) (see: column 6, lines 31-35). Chapman also teaches that cancellation for expiration or without a timely renewal is generated automatically by the system from database records (see: column 4, lines 17-20). In addition, Chapman et al teaches the input /edit of subscriber's information at the agent's terminal and a prior verification of renewal policies at the carrier before they can be renewed at the agent's terminal (see: column 5, lines 60 to column 6, line 30 and column 6, lines 38-41).

Chapman fails to teach:

- the claimed renewal requiring external underwriting and risk assessment processes; and
- the claimed binding the policy issuer to a policy.

National Underwriter teaches a new policy that allows automatic renewal, without new underwriting at the end of the policy (see: abstract).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include renewal without underwriting and risk assessment as taught by National Underwriter within the system for generating automobile insurance certificates from a remote computer terminal as taught by Chapman with the motivation of enhancing the customer's overall experience regarding renewal policies thereby increasing the loyalty to the customer to the insurance agencies.

Chapman et al. and National Underwriter fail to teach:

--the claimed binding the policy issuer to a policy.

Business Wire teaches ClientSoft which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to bind and issue insurance policies from any location in real time (see: paragraph 1). In addition, Business Wire also teaches that the system frees agents from the office/hub environment by giving them complete policy writing capabilities from virtually anywhere, using any laptop, wireless or remote access device equipped with an Internet browser (see: paragraph 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include ClientSoft's eXoro allowing agents to receive quotes (premiums) and binding the insurance carrier to the terms and conditions of the proposed policy as taught by the Business Wire with the system as taught by the Chapman et al. and National Underwriter with the motivation of allowing agents to issue highly accurate ratings, quotes and

full policies on the spot, and their customers can write check and go home with a new policy in a matter of minutes (see: Business Wire: paragraph 2).

As per claim 11, Chapman et al. teaches the input /edit of subscriber's information at the agent's terminal and a prior verification of renewal policies at the carrier before they can be renewed at the agent's terminal (see: column 5, lines 60 to column 6, line 30 and column 6, lines 38-41). In addition, Chapman et al. teaches the agent electronically ordering a renewal form from the remote terminal at step 310, suggesting that the updated insurance information has been transmitted from the field agent computer to the associated insurance carrier over the network in the form of a web page (see: column 6, lines 31-33).

As per claim 13, Business Wire teaches the claimed policy issuer is an insurance carrier and the policy is a renewal insurance contract having terms under which an insurance carrier issuing the policy is legally bound. This feature is met by ClientSoft, which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to bind and issue insurance policies from any location in real time (see: paragraph 1).

As per claim 14, it is rejected for the same reasons set forth in claim 9.

As per claim 15, Chapman et al. teaches a policy renewal system for renewing a policy under the authority of a field agent for binding an issuer of the policy after the policy has been identified as eligible for a renewal evaluation, the policy issuer having an eligibility renewal policy generator for generating policy data for at least one policy eligible for the renewal evaluation (Chapman et al. teaches that the insurance carrier may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal (see: column 6, lines 35-41).

The Examiner considers the classifying to be completed by the eligibility generator), said system comprising:

--the claimed network is met by the remote computer terminal (104, Fig. 1) connected to the central computer (124, Fig. 1) by a network connection (106, Fig. 1) (see: column 3, lines 56-62);

--the claimed database for storing policy data relating to a plurality of policies issued by the policy issuer is met by the policy status database (128, Fig. 1) (see: column 3, lines 65 to column 4, lines 2);

--the claimed remote data display associated with a field agent and configured for displaying said policy data in a form readable by the field agent, the field agent located in a geographically remote location from the policy issuer is met by the remote computer terminal (104, Fig. 1) in the form of a personal computer (see: column 3, lines 56-58); and

--the claimed eligibility generator, the database and said remote data display connected to said network, the eligibility generator configured to identify at least one policy as being eligible for the renewal evaluation by applying pre-determined criteria to the policy data stored in the database for each policy, (Chapman et al. teaches that the insurance carrier may optionally verify compliance with its underwriting standards in the case of a renewal policy or may conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal (see: column 6, lines 35-41), said remote data display configured to:

--the claimed receive over the network said policy data relating to the at least one identified renewal policy is met by the agent electronically receiving data in an insured's file (see: column 5, lines 61-62);

--the claimed display said policy data relating to the at least one identified renewal policy, prompt the field agent to update the displayed policy data, transmit the updated policy data to the eligibility generator for processing, receive from the policy issuer a proposed renewal policy including the updated policy data if the eligibility generator determines that the at least one identified renewal policy is eligible for renewals is met by agent electronically retrieving data in an insured's file with the aid of screens 500 and 600 (see: column 5, lines 61-62).

Chapman et al. also teaches a list of expiring policies being generated automatically by the system on a periodic basis, preferably daily by comparing cancellation date of each policy of insurance with the current date (see: column 5, lines 49-53). Furthermore, Chapman et al. teaches that the insurance carrier may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal (see: column 6, lines 35-41). The Examiner considers the classification to be completed by the eligibility generator that determines which policies are eligible for renewal by the insurance carrier.

Chapman et al. fails to teach:

--the claimed renewal evaluation without requiring external underwriting and risk assessment processes;

--the claimed enable the field agent to legally bind the policy issuer to a renewal of said proposed renewal policy associated with said updated policy data, the binding accomplished

independently by the field agent without underwriting analysis or risk analysis by the policy issuer.

National Underwriter teaches a new policy that allows automatic renewal, without new underwriting at the end of the policy (see: abstract).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include renewal without underwriting and risk assessment as taught by National Underwriter within the system for generating automobile insurance certificates from a remote computer terminal as taught by Chapman with the motivation of enhancing the customer's overall experience regarding renewal policies thereby increasing the loyalty to the customer to the insurance agencies.

Chapman et al. and National Underwriter fail to teach:

--the claimed enable the field agent to legally bind the policy issuer to a renewal of said proposed renewal policy associated with said updated policy data, the binding accomplished independently by the field agent without underwriting analysis or risk analysis by the policy issuer.

Business Wire teaches ClientSoft which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to bind and issue insurance policies from any location in real time (see: paragraph 1). In addition, Business Wire also teaches that the system frees agents from the office/hub environment by giving them complete policy writing capabilities from virtually anywhere, using any laptop, wireless or remote access device equipped with an Internet browser (see: paragraph 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include ClientSoft's eXoro allowing agents to receive quotes (premiums) and binding the insurance carrier to the terms and conditions of the proposed policy as taught by the Business Wire with the system as taught by the Chapman et al. and National Underwriter with the motivation of allowing agents to issue highly accurate ratings, quotes and full policies on the spot, and their customers can write check and go home with a new policy in a matter of minutes (see: Business Wire: paragraph 2).

As per claim 16, Chapman et al. teaches the claimed policy issuer is an insurance carrier, the policy is an insurance policy, the network is the Internet, and said policy data are data in the form of at least one Web page document. This limitation is met by the insurance carrier that may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal policy (see: column 6, lines 35-41). Chapman et al. further teaches a remote computer terminal (104, Fig. 1) connected to the central computer (124, Fig. 1) by a secure private network connection (106, Fig. 1) (see: column 3, lines 56-62).

As per claim 23, Chapman et al. a system for renewing an insurance policy after the policy has been identified as eligible for a renewal evaluation, said system comprising:

--the claimed at least one computer configured as a server, said server comprising an eligibility generator coupled to a database of policy data for a plurality of insurance policies issued by an insurance carrier, said server associate with an the insurance carrier said eligibility generator confirmed to identify at least one insurance policy as being eligible for the renewal evaluation by applying pre-determined criteria to the policy data stored in the database for each

insurance policy, the criteria pre-determined by the insurance carrier to identify each insurance policy eligible for a renewal is met by the insurance carrier that may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal policy (see: column 6, lines 35-41). The Examiner considers the classification to be completed by the eligibility generator that determines, using a pre-determined criterion, which policies are eligible for renewal by the insurance carrier. In addition, Chapman teaches the use of the Citrix Winframe Server link through Citrix connection with security provided by the operator of the secure private network (see: column 5, lines 32-48); and

--the claimed at least one remote computer including a user interface connected to said server through a network, said remote computer associated with a field agent located in a geographically remote location from the insurance carrier is met by the remote computer terminal (104, Fig. 1) connected to the central computer (124, Fig. 1) by a secure private network connection (106, Fig. 1) (see: column 3, lines 56-62). In addition, Chapman teaches the use of the Citrix Winframe Server link through Citrix connection with security provided by the operator of the secure private network (see: column 5, lines 32-48), said remote computer configured to:

--the claimed receive policy data from said server for an insurance policy identified as being eligible for the renewal evaluation wherein the policy data includes information relating to a subscriber of said policy is met by the agent electronically receiving data in an insured's file that includes data such as the insured's name and address and carrier information (see: column 5, lines 61 to column 6, lines 8). In addition, Chapman teaches the use of the Citrix Winframe

Server link through Citrix connection with security provided by the operator of the secure private network (see: column 5, lines 32-48);

--the claimed display said policy data on said user interface, prompt the field agent by displaying predetermined questions on said user interface to update the policy data, receive from the field agent updated policy data including updated subscriber information, display the updated policy data on the user interface such that the field agent can evaluate the updated policy data, and transmit the updated policy data to said server to determine whether the identified insurance policy is eligible for renewals receive from said server a proposed renewal policy including a premium amount for the subscriber if said server determines that the identified insurance policy is eligible for renewals is met by agent electronically retrieving data in an insured's file with the aid of screens 500 and 600 (see: column 5, lines 61-62). Chapman et al. also teaches a list of expiring policies being generated automatically by the system on a periodic basis, preferably daily by comparing cancellation date of each policy of insurance with the current date (see: column 5, lines 49-53). Furthermore, Chapman et al. teaches that the insurance carrier may optionally conduct verification either prior to the initial identification of each expiring policy (e.g. by classifying each expiring policy prior to expiration) or subsequent to ordering the renewal (see: column 6, lines 35-41). The Examiner considers the classification to be completed by the eligibility generator that determines which policies are eligible for renewal by the insurance carrier. Moreover, Chapman teaches the use of the Citrix Winframe Server link through Citrix connection with security provided by the operator of the secure private network (see: column 5, lines 32-48).

Chapman et al. fails to teach:

--the claimed renewal evaluation without requiring external underwriting and risk assessment processes; and

--the claimed enable the field agent to legally bind the insurance carrier to the proposed renewal policy associated with the evaluated policy data, wherein the binding is accomplished by a decision process undertaken independently by the field agent without underwriting analysis and risk analysis by the insurance carrier.

National Underwriter teaches a new policy that allows automatic renewal, without new underwriting at the end of the policy (see: abstract).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include renewal without underwriting and risk assessment as taught by National Underwriter within the system for generating automobile insurance certificates from a remote computer terminal as taught by Chapman with the motivation of enhancing the customer's overall experience regarding renewal policies thereby increasing the loyalty to the customer to the insurance agencies.

Chapman et al. and National Underwriter fail to teach:

--the claimed enable the field agent to legally bind the insurance carrier to the proposed renewal policy associated with the evaluated policy data, wherein the binding is accomplished by a decision process undertaken independently by the field agent.

Business Wire teaches ClientSoft which launched eXoro, an Internet-based, end-to-end system enabling insurance agents to bind and issue insurance policies from any location in real time (see: paragraph 1). In addition, Business Wire also teaches that the system frees agents from the office/hub environment by giving them complete policy writing capabilities from virtually

anywhere, using any laptop, wireless or remote access device equipped with an Internet browser (see: paragraph 2).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include ClientSoft's eXoro allowing agents to receive quotes (premiums) and binding the insurance carrier to the terms and conditions of the proposed policy as taught by the Business Wire with the system as taught by the Chapman et al. and National Underwriter with the motivation of allowing agents to issue highly accurate ratings, quotes and full policies on the spot, and their customers can write check and go home with a new policy in a matter of minutes (see: Business Wire: paragraph 2).

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,526,386 to Chapman et al. and "10-year term allows automatic renewal without underwriting" by National Underwriter: Life & Health/Financial Service (hereinafter "National Underwriter") and "ClientSoft Introduces eXoro, A Complete e-Service Solution for the Insurance Industry" by Business Wire applied to claim 11 above, and further in view of Official Notice.

As per claim 12, Chapman, National Underwriter and Business Wire fail to teach the total time require between said transmitting update information relating to said policy step and said enabling the field agent to bind the policy issuer step is not more than five minutes.

The Examiner take Official Notice that time restraints such as a five-minute limit being placed on any Internet transaction before a user is logged off and must logon back on the complete the transaction is old and well known in the computer industry. Therefore, it would have been obvious at the time the invention was made to including time requirements with the system taught by Chapman, National Underwriter and Business Wire with the motivation of

providing security measures to the computer user thereby protecting the users from misuse by any unauthorized users.

6. Claims 17-22 and 24-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,526,386 to Chapman et al. and “10-year term allows automatic renewal without underwriting” by National Underwriter: Life & Health/Financial Service (hereinafter “National Underwriter”) and “ClientSoft Introduces eXoro, A Complete e-Service Solution for the Insurance Industry” by Business Wire as applied to claims 1, 3 and 23 above, and further in view of U.S. Patent No. 6,604,080 to Kern.

As per claim 17, Chapman, National Underwriter and Business Wire teach a system and method for generating insurance certificates from remote computer terminal by a computer network to a central computer (see: Chapman: column 1, lines 43-46). Chapman, National Underwriter and Business Wire further teaches insurance agents electronically order insurance certificates from a remote terminal that may be renewal policies (step 310) (see: Chapman: column 6, lines 31-35). Chapman, National Underwriter and Business Wire also teach that cancellation for expiration or without a timely renewal are generated automatically by the system from database records (see: Chapman: column 4, lines 17-20). In addition, Chapman, National Underwriter and Business Wire teach the input /edit of subscriber’s information at the agent’s terminal and a prior verification of renewal policies at the carrier before they can be renewed at the agent’s terminal (see: Chapman: column 5, lines 60 to column 6, line 30 and column 6, lines 38-41).

Chapman, National Underwriter and Business Wire fail to teach policy data relating to the subscriber including at least one of a number of employees, a payroll amount, an insurance work class code, and a work class description.

Kern teaches an automated system and method of compiling rates to be charged for standard worker's compensation policy including the Glen Retirement Center using the classification worksheet enters classification code, number of employees and the payroll (see: column 29, lines 38-43).

One of ordinary skill in the art at the time the invention was made would have found it obvious to include policy data such as number of employees, payroll amount and work class code as taught by Kern with the system as taught by Chapman, National Underwriter and Business Wire with the motivation of providing the insurance carrier with accurate information in order to best calculate the best insurance rate for the client.

As per claim 18, Chapman, National Underwriter and Business Wire teach the claimed step of displaying at the field agent computer further comprises displayed at the field agent computer policy data corresponding to a renewal (see: Chapman: column 5, lines 60 to column 6, lines 30 and column 6, lines 38-41).

Chapman, National Underwriter and Business Wire fail to teach the claimed workman's compensation insurance policy.

Kern teaches an automated system and method of compiling rates to be charged for standard worker's compensation policy (see: abstract).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claim 19, Chapman, National Underwriter and Business Wire teach the claimed step of providing the field agent with predetermined questions further comprises prompting the field agent to input into the field agent computer updated policy data (see: Chapman: column 5, lines 60 to column 6, lines 30 and column 6, lines 38-41).

Chapman, National Underwriter and Business Wire fail to teach policy data relating to the subscriber including at least one of a number of employees, a payroll amount, an insurance work class code, and a work class description.

Kern teaches an automated system and method of compiling rates to be charged for standard worker's compensation policy including the Glen Retirement Center using the classification worksheet enters classification code, number of employees and the payroll (see: column 29, lines 38-43).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claim 20, Chapman, National Underwriter and Business Wire teach the claimed step of receiving at the field agent computer further comprises receiving at the field agent computer policy data corresponding to a renewal (see: Chapman: column 5, lines 60 to column 6, lines 30 and column 6, lines 38-41).

Chapman, National Underwriter and Business Wire fail to teach workman's compensation insurance policy.

Kern teaches an automated system and method of compiling rates to be charged for standard worker's compensation policy including the Glen Retirement Center using the classification worksheet enters classification code, number of employees and the payroll (see: column 29, lines 38-43).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claim 21, it is rejected for the same reasons set forth in claim 19.

As per claim 22, Chapman, National Underwriter and Business Wire teach the claimed at least one renewal policy (see: Chapman: column 5, lines 60 to column 6, lines 30 and column 6, lines 38-41).

Chapman, National Underwriter and Business Wire fail to teach the claimed policy is a workman's compensation insurance policy.

Kern teaches an automated system and method of compiling rates to be charged for standard worker's compensation policy (see: abstract).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claim 24, Chapman, National Underwriter and Business Wire fail to teach the claimed insurance policy is a workman's compensation insurance policy, wherein the subscriber is an employer.

Kern teach that in order to insure that there are no gaps in coverage arising from the separation of the workers' compensation exposure from the employers liability exposure, policies are issued simultaneously to an employer (see: column 17, lines 64-66).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claims 25-26, they are rejected for the same reasons set forth in claims 17 and 18.

As per claim 27, Kern teaches the claimed subscriber information further comprises information relating to whether the employer financially contributes to a medical plan available to employees included within a specific insurance work classification (see: column 18, lines 24-31 and lines 46-55).

As per claim 28, Kern teaches the claimed subscriber information further comprises information relating to whether the employer has an existing Experience Modification (see: column 20, lines 12-18).

As per claim 29, Kern teaches the claimed if an employer has existing Experience Mods, subscriber information further comprises information relating to at least a most recent Experience Modification in decimal format (see: column 20, lines 12-18 and column 3, lines 5-13).

As per claim 30, Kern teaches the claimed wherein subscriber information further comprises information relating to at least one of: whether the employer at least one of owns, operates, and leases aircraft; whether the employer at least one of owns, operates, and leases watercraft; whether the employer performs any work underground or above fifteen feet; whether the employer performs any work on at least one of barges, vessels docks, and bridges over water; whether the employer provides any group transportation; and whether the employer leases employees to or from other employers (see: Fig. 8 and Fig. 9).

As per claim 31, Chapman, National Underwriter and Business Wire teach the claimed remote computer is further configured to display and print updated policy data (see: Chapman et al.: column 4, lines 14-17).

Chapman, National Underwriter and Business Wire fail to teach the policy data including a premium basis, an estimated annual premium, and a work class description for each insurance work class code assigned to the employer.

Kern teaches after all classification information is entered the user can scroll down to estimated annual premium field (see: column 23, lines 46-50 and Fig. 18).

The obviousness of combining the teachings of Kern with the system of Chapman, National Underwriter and Business Wire are is discussed in the rejection of claim 17, and incorporated herein.

As per claim 32, Chapman teaches the claimed remote computer is further configured to search said database for a specific insurance policy eligible for renewal by prompting the field agent to input at least one of a policy number and an account name (see: column 5, lines 61 to column 6, lines 12).

Response to Arguments

7. Applicant's arguments filed 2/25/05 have been fully considered but they are not persuasive. Applicant's arguments will be addressed hereinbelow in the order in which they appear in the response filed 2/25/05.

(A) It is respectfully submits that the Examiner has applied new prior art to the amended features of claims 1, 3, 10, 15 and 23 at the present time. As such, Applicant's remarks with regard to the application of Chapman et al. and/or Official Notice to the amended claims are moot in light of the inclusion of the teachings of National Underwriter and Business Wire addressed in the above Office Action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In related art (Market Mix) Anonymous writer discloses a marketing package called Private Retirement Option where policies that are up for automatic renewal need no new underwriting.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Morgan whose telephone number is (571) 272-6773. The examiner can normally be reached on 8:30 a.m. - 5:00 p.m. Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RWM
rwm


JOSEPH THOMAS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600